

District Office Directory

Atlantic City	1333 Atlantic Avenue, 3rd Flr. (609) 441-3160 Atlantic City, NJ 08401 (Atlantic and Cape May counties)
Bridgeton	40 East Broad Street (856) 453-3930 Suite 203 Bridgeton, NJ 08302-2880 (Cumberland & Salem counties)
Burlington	851 Old York Road (609) 386-3256 Burlington, NJ 08016 (Burlington county)
Camden	1 Port Center, 3rd Flr. (856) 614-2852 2 Riverside Drive Camden, NJ 08103 (Camden & Gloucester counties)
Elizabeth	210 Commerce Place (908) 820-3062 Elizabeth, NJ 07201-2398 (Union county)
Freehold	1 East Main Street (732) 462-9321 Hall of Records Annex Freehold, NJ 07728 (Monmouth county)
Hackensack	60 State Street (201) 996-8930 Hackensack, NJ 07601-5427 (Bergen county)
Jersey City	438 Summit Ave., 3rd Flr. (201) 217-7205 Jersey City, NJ 07306-0603 (Hudson county)
Lebanon	Hunterdon Hills Plaza (908) 236-8026 1390 Rt. 22 W. Lebanon, NJ 08833 (Hunterdon, lower Warren, Somerset counties)
Mt. Arlington	100 Valley Rd., Suite 100 (973) 770-4480 Mt. Arlington, NJ 07856 (Morris, Sussex and upper Warren counties)
Newark	124 Halsey Street (973) 648-2663 Newark, NJ 07101-0226 (Essex county)
New Brunswick	506 Jersey Avenue (732) 937-6333 New Brunswick, NJ 08901-3502 (Middlesex county)
Paterson	100 Hamilton Plaza (973) 977-4526 8th Floor Clark Street Paterson, NJ 07505-2109 (Passaic county)

Toms River	954 Route 166 (732) 349-9592 Toms River, NJ 08753-7331 (Ocean county)
Trenton	Station Plaza 4 (609) 292-2508 PO Box 958 Trenton, NJ 08625-0958 (Mercer county)

For more information about Workers' Comp,
visit us on the Internet at:
www.nj.gov/labor/wc/wcindex.html

If you need this document in braille or large print, call
(609) 292-2515. TTY users can contact this office
through New Jersey Relay: 7-1-1

This pamphlet is published for general information only and
does not have the status of law or regulation. For specific
wording of the law see the New Jersey Workers' Compensation
Act (NJSA 34:15-1 et seq.) or consult your attorney.

Benefits

Rate in effect on the date of accident or
exposure/manifestation in cases of occupational disease.

Effective Date		Temporary & Permanent Total	Permanent Partial
01/01/96	70% of wages to	maximum of \$480 minimum of \$128	\$480 \$ 35
01/01/97	70% of wages to	maximum of \$496 minimum of \$133	\$496 \$ 35
01/01/98	70% of wages to	maximum of \$516 minimum of \$138	\$516 \$ 35
01/01/99	70% of wages to	maximum of \$539 minimum of \$144	\$539 \$ 35
01/01/2000	70% of wages to	maximum of \$568 minimum of \$151	\$568 \$ 35
01/01/2001	70% of wages to	maximum of \$591 minimum of \$158	\$591 \$ 35
01/01/2002	70% of wages to	maximum of \$629 minimum of \$168	\$629 \$ 35
01/01/2003	70% of wages to	maximum of \$638 minimum of \$170	\$638 \$ 35

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STATE OF NEW JERSEY
DEPARTMENT OF LABOR
DIVISION OF WORKERS' COMPENSATION
P.O. BOX 381
TRENTON, NEW JERSEY 08625-0381

NJDOL

Division of Workers' Compensation

A Worker's Guide to Workers' Compensation in New Jersey

James E. McGreevey, Governor
Albert G. Kroll, Commissioner of Labor
Peter J. Calderone, Director & Chief Judge



Working Together to Keep New Jersey Working

What is Workers' Compensation?

Workers' Compensation is a system created by the New Jersey Legislature that provides benefits to workers who are injured or who contract an occupational disease while working. The benefits include medical care, temporary disability payments and compensation for a resulting permanent disability. In the event of the death of an injured worker, benefits are payable to the family of the worker. Benefits may be paid voluntarily or it may be necessary to apply to the Workers' Compensation Courts for relief.

Who is covered?

Virtually every worker who performs services for wages is covered by the law, regardless of the number of workers employed by the employer.

Under New Jersey law, domestic and farm workers are covered.

Workers considered to be independent contractors, rather than employees, are not covered.

Seamen, maritime workers, railroad workers and federal employees are covered under federal workers' compensation law.

What must a worker do if injured?

The worker should notify the employer of the accident as soon as possible, but not later than 90 days from the date of the accident. The notice may be given to the foreman, supervisor, personnel office, or anyone in authority at the employer's place of business. Notice need not be in writing.

The worker should also request that medical treatment be furnished.

Who pays benefits?

Benefits are paid by the employer or the employer's workers' compensation insurance carrier.

What if an employer refuses to provide medical services and/or temporary disability benefits?

The injured worker should seek the services of an attorney who will file a formal claim petition and a motion for medical and temporary benefits with the Division of Workers' Compensation. Attorneys are prohibited by law from charging a fee in advance for such services. Fees will be fixed by the court only if a compensation award is made.

Important: *There is a two-year statute of limitations. A formal Claim Petition must be filed within two years of the date of the injury or the last payment of compensation, whichever is later. Medical treatment authorized by the employer is considered a payment of compensation. In cases of occupational illness, such as asbestosis, lead poisoning or hearing loss, the Claim Petition must be filed within two years from the date the worker first became aware of the condition and its relationship to employment. The statute of limitations applies to minors also.*

An injured worker may also file an application for an informal hearing before a Judge of Compensation. At the informal hearing a representative of the employer or the employer's insurance carrier is usually present. The suggestions made by the judge at an informal hearing are, however, not binding on either party. The filing of an application for an informal hearing does not stop the two-year statute of limitations from running.

Can an employer take action against a worker for filing a claim?

The Workers' Compensation Statute prohibits the employer from discharging or in any other manner discriminating against an employee because the employee has claimed or attempted to claim workers' compensation benefits, or because he has testified, or is about to testify in a workers' compensation case.

Does the Workers' Compensation Law give special consideration to minors?

Yes. If a minor, employed in violation of the Child Labor Law, suffers a disability because of a job-related injury or illness, benefits will be double the amount ordinarily awarded.

Benefits Available Through Workers' Compensation

Medical Benefits

All necessary medical treatment and hospitalization services should be provided by the employer or the employer's insurance carrier.

The employer has the right to choose the treating physician. If the employer refuses to provide medical treatment, the injured worker is free to choose the treating physician. However, in the case of an emergency, an injured worker may obtain medical or hospital treatment without specific authorization from the employer, but the employer should be notified as soon as possible concerning the treatment being received.

Temporary Disability Benefits

If there is lost time which extends beyond seven consecutive days due to the injury, temporary disability benefits become payable starting with the first day lost. The benefit amount is 70 percent of gross weekly wages received at the time of the injury, up to a maximum established annually by the Commissioner of Labor. (Maximum weekly rates for the past eight years are shown on the reverse.)

Permanent Partial Benefits

When a job-related injury or illness results in a permanent partial disability, benefits are based upon a percentage of certain "scheduled" or "nonscheduled" losses. A "scheduled" loss is one involving arms, hands, fingers, legs, feet, toes, eyes, ears and teeth. A "non-scheduled" loss is one involving the back, heart, lungs, etc.

Permanent Total Benefits

When a job-related injury results in permanent total disability, the injured worker is entitled to payments for 450 weeks which will be continued thereafter for as long as the total disability exists. However, after the 450 weeks, these payments are subject to reduction for wages earned from employment.

Weekly payments for permanent total disability are 70 percent of the gross weekly wage at the time of the injury up to a maximum established annually by the Commissioner of Labor. (Maximum weekly rates for the past eight years are shown on the reverse.)

Permanent total disability is presumed when the worker has lost two major members or a combination of members of the body such as eyes, arms, hands, legs or feet. However, permanent total disability can result from other injuries or a combination of injuries that render the worker unemployable.

Death Benefits

When a job-related accident or illness results in the worker's death, benefits are payable to the dependents of the worker as defined by the law. The weekly benefit payments are based upon the number of dependents, but the maximum total benefit payable to all of the worker's dependents cannot exceed the maximum established annually by the Commissioner of Labor. (Maximum weekly rates for the past eight years are shown on the reverse.)

A surviving spouse and natural children who were a part of decedent's household at the time of death are conclusively presumed to be dependents.

A surviving spouse and natural children who were not a part of decedent's household at the time of death and all other alleged dependents (parents, grandparents, grandchildren, brothers, sisters, etc.) must prove actual dependency.

Children who are deemed to be dependents remain so until the age of 18 years or, if a full-time student, until the age of 23 years. If a child is physically or mentally disabled he/she may be eligible for further benefits.

The employer or its insurance carrier is responsible to pay up to \$3,500 in funeral expenses for a job-related death. These funds are payable to whomever is liable for the funeral bill, be it the estate or an individual.